

Docket No.: 042390.P18902

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HINES, Kenneth J.

Application No.: 09/888061

Filed: June 21, 2001

For:

EVOLUTION DIAGRAMS FOR

DEBUGGING DISTRIBUTED EMBEDDED SOFTWARE

APPLICATIONS

RECEIVED

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Examiner: TANG, Kuo Liang J.

OFFICE OF PETITIONS

Art Group: 2122

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on:

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<u>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED</u> <u>UNINTENTIONALLY UNDER 37 CFR 1.137(b)</u>

MAIL STOP Office of Petitions Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of the abandonment is after the expiration date of the period set for reply in the Office Action or action plus an extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

(1) Petition fee;

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(2) Reply and/or issue fee;
(3) Terminal disclaimer with disclaimer fee – required for all utility and plant
applications filed before June 8, 1995; and for all design applications; and
(4) Statement that the entire delay was unintentional.
1. Petition fee
Small entity-fee \$ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.
X Other than small entity-fee \$1,330.00 (37CFR 1.17(m))
2. Reply and/or fee
A. The reply and/or fee to the above noted Office Action in
the form of <u>RESPONSE TO OFFICE ACTION MAILED December 4, 2003</u> (type of
reply);
has been filed previously on
X is enclosed herewith.
B. The issue fee of \$
has been paid previously on
is enclosed herewith.
3. Terminal disclaimer with disclaimer fee
X Since this utility/plant application was filed on or after June 8, 1995, no terminal
disclaimer is required.

App. No. 09/896,656 Atty. Docket No. 042390.P11559

Filed: June 29, 2001 Examiner: D. H. Nguyen

A terminal disclaimer (and disclaimer fee (37 CFR 1.20 (d)) of \$ ___ for a small

entity or \$_____ for other than a small entity) disclaiming the required period of

time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 (b) was unintentional (MPEP 711.03 (c), subsections (III)(C) and (D))].

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date: September 29, 2004

Gregory D. Caldwell Reg. No. 39,926

12400 Wilshire Boulevard, Seventh Floor Los Angeles, CA 90025-1026 (503) 684-6200

Enclosures: X Fee Payments for 1) Petition to revive

X Response to Office Action mailed December 4, 2003

X Statement establishing Unintentional delay

X (2) Two IDSs filed October 8, 2001 and December 13, 2002

X (1) One Replacement Drawing

X Information Disclosure Statement



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

e application of

Kenneth J. Hines

Application No. 09/888,061

Filed: June 21, 2001

For: EVOLUTION DIAGRAMS FOR

DEBUGGING DISTRIBUTED

EMBEDDED SOFTWARE

APPLICATIONS

Date: December 13, 2002

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO:

Group Art Unit: 2122

COMMISSIONER FOR PATENTS WASHINGTON, DC 20231

ON:

December 13, 2002

Connie English

Typed Name

RECEIVED

TRANSMITTAL LETTER

OCT 0 3 2004

TO THE COMMISSIONER FOR PATENTS:

OFFICE OF PETITIONS

Enclosed for filing in the above-referenced application are the following:

- [\(\) Supplemental Information Disclosure Statement
- [Form PTO-1499, together with copies of cited references
- [\] Return receipt postcard

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with filing of these papers, or credit overpayment, to Account No. 19-4455. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Kenneth J. Hines

Steven Jamunson

Registration No. 47,812

STOEL RIVES LLP

900 SW Fifth Avenue, Suite 2600

Portland, Oregon 97204-1268 Telephone: (503) 224-3380

Facsimile: (503) 220-2480

Attorney Docket No. 10488/10:1

The stamp of the PTO hereon acknowledges receipt of the following documents in re U.S. patent application of Kenneth J. Hines, U.S. Patent Application No. 09/888,061, filed June 21, 2001, for EVOLUTION DIAGRAMS FOR DEBUGGING DISTRIBUTED EMBEDDED SOFTWARE APPLICATIONS:

Transmittal letter (in duplicate)
Information Disclosure Statement
Form PTO-1449, together with copies of cited references

Mailed: October 8, 2001 Docket No. 10488/10:1 US SJM:cem Pd2-4329675

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of

Group Art Unit: 2122

Kenneth J. Hines

Application No. 09/888,061

Filed: June 21, 2001

For: EVOLUTION DIAGRAMS FOR DEBUGGING

DISTRIBUTED EMBEDDED SOFTWARE

APPLICATIONS

Date: October 8, 2001

TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

Enclosed for filing in the above-referenced application are the following:

- [\(\sumsymbol{I} \)] Information Disclosure Statement
- [/] Form PTO-1449, together with copies of cited references
- [/] Return receipt postcard

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with filing of these papers, or credit overpayment, to Account No. 19-4455. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Kenneth J. Hines

Steven I Munso

Registration No. 47,812

STOEL RIVES LLP

900 SW Fifth Avenue, Suite 2600

Portland, Oregon 97204-1268

Telephone: (503) 224-3380 Facsimile: (503) 220-2480

Attorney Docket No. 10488/10:1 USA

- After the mailing date of a final action or notice of allowance and on [] c. or before payment of an issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. A petition requesting consideration of the information disclosure statement and the \$130.00 petition fee set forth in 37 CFR 1.17(i) are enclosed. 2. [] The attorney or agent signing below hereby states that: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure
- 3. [] Applicant(s) set forth below concise explanations of the relevance of each document not in the English language and/or selected document(s) in the English language.

statement.

Respectfully submitted,

Kenneth J. Hines

Steven J. Munson

Registration No. 47,812

STOEL RIVES LLP 900 SW Fifth Avenue, Suite 2600 Portland, Oregon 97204-1268 Telephone: (503) 224-3380

Facsimile: (503) 220-2480

Attorney Docket No. 10488/10:1 USA

In re application of

Group Art Unit: 2122

Kenneth J. Hines

Application No. 09/888,061

Filed: June 21, 2001

For: EVOLUTION DIAGRAMS FOR DEBUGGING

1.97(e) is required.)

DISTRIBUTED EMBEDDED SOFTWARE APPLICATIONS

Date: October 8, 2001

INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

Pursuant to his duty of disclosure, applicant encloses a copy of the documents listed on the accompanying Form PTO-1449.

- This information disclosure statement is being submitted:
 a. [X] Within three months of the filing date of the above-identified application or within three months of the date of entry of the national stage, or before the mailing date of the first Office action on the merits, whichever event occurs last. (No statement under 37 CFR
 - b. [] After the period set forth in paragraph 1a, but before the mailing date of either a final action or a notice of allowance. (Check box i. or ii.)
 - i. [] A \$240.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed.
 - ii. [] A statement specified by 37 CFR 1.97(e) is set forth below.

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